

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,086	0/625,086 07/23/2003		Jeffrey A. Lee	2159-A (FJ-99-39A)	5940
40256	7590	03/09/2005		EXAMINER	
FERRELL	S, PLLC				
P.O.BOX	312				
CLIFTON,	VA 2012	4-1706	ART UNIT	PAPER NUMBER	

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
Votific	ation of Non-Compliant Appeal Brief	10/625,086	LEE, JEFFREY A.				
	(37 CFR 41.37)	Examiner	Art Unit				
		Steve Alvo	1731				
	The MAILING DATE of this communication app	pears on the cover sheet with the c	correspondence address				
The Ap 41.37.	opeal Brief filed on <u>21 December 2004</u> is defective	ve for failure to comply with one o	or more provisions of 37 CFR				
MONT	id dismissal of the appeal, applicant must file a of the file of this of the mailing date of this of the mailing date of this of the mailing date of the mailing date of this of the mailing date of the mailing date of the mail of the m						
1. 🗌	The brief does not contain the items required unheading or in the proper order.	under 37 CFR 41.37(c), or the iter	ms are not under the proper				
2. 🗌	The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed or confirmed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).						
3. 🗌	At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).						
4. 🛛	(a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).						
5. 🛚	The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi))						
6. 🛚	The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).						
7. 🗌	The brief does not contain a correct copy of the 41.37(c)(1)(viii)).	e appealed claims as an appendi	x thereto (37 CFR				
8. 🛛	The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).						
9. 🗌	The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).						
10.🛛	Other (including any explanation in support of t	the above items):					
	Item V, the second set of claims do not have the act	ts described referre3d to by page and	d line in the specification.				
	Item VI does not asccurately state the rejections.						
	The 102 and 103 rejections over WO 97/45483 show which include (1) HU '363 and (2) HU '282.	uld be under separate headings as s	hould the sepate rejections				
	The evidence should be presented in a separate app)	And Comments of the Comments o				
		Prima	e Alvo ary Examiner nit: 1731				